

REMARKS

In an office action dated 8 September 2004, the Examiner rejects claims 1-20 (all pending claims). In response to the office action, Applicants amend claims 1-10 and 20. Applicants also cancel claims 11-19 and respectfully traverse the rejections. Claims 1-10 and 20 remain in the application. In light of the amendments and following arguments, Applicants respectfully request that the Examiner allow this Application.

The Examiner rejects claim 1 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Number 6,557,132 issued to Gangl et al. (Gangl). To anticipate a claim under 35 U.S.C. § 102, a single source must contain all of the elements of the claim. Lewmar Marine Inc. v. Barient, Inc., 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), cert. denied, 484 U.S. 1007 (1988). Moreover, the single source must disclose all of the claimed elements “arranged as in the claim.” Structural Rubber Prods. Co. v. Park Rubber Co., 749 F.2d 707, 716, 223 U.S.P.Q. 1264, 1271 (Fed. Cir. 1984). Gangl does not teach all of the elements of amended claim 1.

Applicants amend claim 1 to better define the invention. In particular, claim 1 is amended to particularly point out that a plurality of preselected tests are applied to a tested device and the results are compared to anticipated signatures of fault source for the plurality of tests. Gangl, on the other hand, only teaches conducting one test on a device. (See block 108 of Figure 2 and Col. 3, lines 16-18). The advantage of the claimed invention of Gangl is that using a plurality of tests allows for a more accurate determination of faults. Thus, since Gangl does not teach using multiple preselected tests on a device, Gangl does not teach the generating of test data as recited in amended claim 1. Therefore, the rejection of claim 1 must be removed and Applicants respectfully request that amended claim 1 be allowed.

Claims 2-10 are dependent upon amended claim 1. Therefore, claims 2-10 are allowable as being dependent from an allowable independent claim. Thus, applicants respectfully request claims 2-10 be allowed.

Claims 11-19 are canceled. Therefore, the rejections of claim 11-19 are moot.

Claim 20 is an apparatus that executes the method of amended claim 1. Therefore, amended claim 20 is allowable for at least the same reason as amended claim 1. Thus, Applicants respectfully request amended claim 20 be allowed.

If the Examiner has any questions regarding this application or this response, the Examiner is requested to telephone the undersigned at 775-586-9500.

Respectfully submitted,
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